



VIA HAND DELIVERY MAY 21, 2003

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:  
Ni et al.

Docket No.: PF199D2

Application No.: 09/911,346- Conf: 4955

Group Art Unit: 1646

Filed: July 24, 2001

Examiner: P. Mertz

For: **Antibodies to Natural Killer Cell Enhancing  
Factor C (As Amended Herein)**

9/B  
A9J  
5/22/03  
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TECH CENTER 1600/2900

**AMENDMENT AND RESPONSE UNDER 37 C.F.R. § 1.111**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

In response to the Office Action dated February 21, 2003 (Paper No. 8), please consider the following amendments and remarks. Applicants submit concurrently herewith: (a) a Fee Transmittal Sheet; (b) a Version with Markings to Show Changes Made; (c) Exhibit A (a partially redacted copy of the ATCC Deposit Receipt for Accession Number 97157); (d) Exhibit B (Winter, et al., "Making Antibodies by Phage Display Technology," Annu. Rev. Immunol., 12:433-55 (1994)); (e) Exhibit C (selected pages of "Immunobiology" by Janeway, C. A. and Travers, P. (1994) Current Biology Ltd./ Garland Publishing Inc.); and (f) Exhibit D (abstracts from Thompson, et al., "Production of human monoclonal IgG and IgM antibodies with anti-D (rhesus) specificity using heterohybridomas," Immunol., 58:157-160 (1986); Matsuo, et al., "Generation of multiple monoclonal antibodies for diagnostic use from a single hybridoma fusion," Acta. Haematol., 179:137-139 (1988); and, Massino, et al., "Construction of a quadroma to alpha-endorphin/horseradish peroxidase using an actinomycin D-resistant mouse myeloma cell line," Immunol. Lett., 33:217-222 (1992)).

**Please amend the application as follows:**

**In the Title**

Please amend the title to read:

**Antibodies to Natural Killer Cell Enhancing Factor C**



<b>FEE TRANSMITTAL</b> <b>for FY 2003</b> <i>Patent fees are subject to annual revision.</i>		<b>Complete if Known</b>	
		Application Number	09/911,346-Conf. #4955
		Filing Date	July 24, 2001
		First Named Inventor	Jian Ni
		Examiner Name	P. Mertz
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27	Group Art Unit	1646	MAY 20 2003
<b>TOTAL AMOUNT OF PAYMENT</b>	(\$)	0.00	Attorney Docket No. PF199D2

**METHOD OF PAYMENT** (check all that apply)

☐ Check ☐ Credit Card ☐ Money Order ☐ Other ☐ None

☒ Deposit Account

Deposit Account Number: 08-3425

Deposit Account Name: Human Genome Sciences, Inc.

The Commissioner is hereby authorized to: (check all that apply)

☐ Charge fee(s) indicated below ☒ Credit any overpayments

☒ Charge any additional fee(s) during the pendency of this application

☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

FEE CALCULATION					
1. BASIC FILING FEE					
Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1001	750	2001	375	Utility filing fee	
1002	330	2002	165	Design filing fee	
1003	520	2003	260	Plant filing fee	
1004	750	2004	375	Reissue filing fee	
1005	160	2005	80	Provisional filing fee	
SUBTOTAL (1)					(\$) 0.00

**2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE**

Total Claims:  -20\*\* =  x  =

Independent Claims:  -3\*\* =  x  =

Multiple Dependent:  =

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1202	18	2202	9	Claims in excess of 20	
1201	84	2201	42	Independent claims in excess of 3	
1203	280	2203	140	Multiple dependent claim, if not paid	
1204	84	2204	42	** Reissue independent claims over original patent	
1205	18	2205	9	** Reissue claims in excess of 20 and over original patent	
SUBTOTAL (2)					(\$) 0.00

\*\* or number previously paid, if greater; For Reissues, see above

FEE CALCULATION (continued)					
3. ADDITIONAL FEES					
Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1051	130	2051	65	Surcharge - late filing fee or oath	
1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet.	
1053	130	1053	130	Non-English specification	
1812	2,520	1812	2,520	For filing a request for <i>ex parte</i> reexamination	
1804	920*	1804	920*	Requesting publication of SIR prior to Examiner action	
1805	1,840*	1805	1,840*	Requesting publication of SIR after Examiner action	
1251	110	2251	55	Extension for reply within first month	
1252	410	2252	205	Extension for reply within second month	
1253	930	2253	465	Extension for reply within third month	
1254	1,450	2254	725	Extension for reply within fourth month	
1255	1,970	2255	985	Extension for reply within fifth month	
1401	320	2401	160	Notice of Appeal	
1402	320	2402	160	Filing a brief in support of an appeal	
1403	280	2403	140	Request for oral hearing	
1451	1,510	1451	1,510	Petition to institute a public use proceeding	
1452	110	2452	55	Petition to revive - unavoidable	
1453	1,300	2453	650	Petition to revive - unintentional	
1501	1,300	2501	650	Utility issue fee (or reissue)	
1502	470	2502	235	Design issue fee	
1503	630	2503	315	Plant issue fee	
1460	130	1460	130	Petitions to the Commissioner	
1807	50	1807	50	Processing fee under 37 CFR 1.17(q)	
1806	180	1806	180	Submission of Information Disclosure Stmt	
8021	40	8021	40	Recording each patent assignment per property (times number of properties)	
1809	750	2809	375	Filing a submission after final rejection (37 CFR 1.129(a))	
1810	750	2810	375	For each additional invention to be examined (37CFR 1.129(b))	
1801	750	2801	375	Request for Continued Examination (RCE)	
1802	900	1802	900	Request for expedited examination of a design application	
Other fee (specify)					
*Reduced by Basic Filing Fee Paid					
SUBTOTAL (3)					(\$) 0.00

<b>SUBMITTED BY</b>		<b>Complete (if applicable)</b>	
Name (Print/Type)	Doyle A. Siever	Registration No. (Attorney/Agent)	47,088
Signature	<i>Doyle A. Siever</i>	Telephone	(301)610-5790 (ext. 3595)
		Date	May 19, 2003